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PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tagg et al.
Serial No. : 09/913,763
Filed : August 17, 2001
For : LANTIBIOTIC

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PETITION TO MAKE SPECIAL AND
REQUEST FOR INTERVIEW WITH SUPERVISORY REVIEW

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to MPEP §708.02 (e.g., subpart XII) and 37 C.F.R. §1.102, Applicants hereby petition for special status. Submitted herewith is a check for \$130.00 in payment of the fee set forth in 37 C.F.R. 1.17(i); and, the Commissioner is hereby authorized to charge any additionally required fee for this Petition or for making the application special or credit any overpayment in such fees to Deposit Account No. 50-0320.

The present application qualifies for special status for the following reasons.

The application is assigned to BLIS Technologies Ltd., (hereafter "BLIS"), Level 10, Otago House, 481 Moray Place, Dunedin, New Zealand.

Pursuant to 37 C.F.R. 1.27, BLIS is a New Zealand company entitled to small entity status.

BLIS was formed to commercialize various technologies, including the biotechnology of the instant application.

The instant patent application is a major asset of BLIS, and development of the technology will be significantly impaired if examination of the patent application is delayed. Specifically, exploitation of the technology in the United States will be by means of a licensing arrangement with a licensee, and a granted patent will be a highly significant factor in the ability of BLIS to obtain a licensee in the United States, which in turn will facilitate an early start to manufacturing. A delay in examination will significantly impact on opportunities to license and deliver the technology to the public.

Accordingly, it is respectfully submitted that this application qualifies for special status under MPEP §708.02, subpart XII and 37 C.F.R. 1.102.

Therefore, it is respectfully requested that the present application be made special and be examined as soon as possible.

To facilitate early and favorable examination on the merits, it is noted that the application is a national phase of corresponding PCT application, PCT/NZ200/00197, and the PTO has in its file the International Search and Examination, along with Information Disclosure Statements previously filed by applicants.

Early and favorable examination on the merits of this application are respectfully requested.

REQUEST FOR INTERVIEW WITH SUPERVISORY REVIEW

In addition, if there is any issue which presents an impediment to first action allowance of the present application, an interview is respectfully requested, prior to any first Office Action on the merits.

Thus, Applicants respectfully request an interview prior to any first Office Action; and, the Examiner is respectfully requested to contact the undersigned prior to issuing any first Office Action to arrange a mutually convenient time and manner for such an interview. It is further respectfully requested that the interview include Supervisory Review by a Practice Specialist.

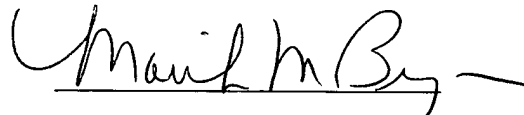
CONCLUSION

Any additionally required fee or overpayment in any fee occasioned by this paper may be charged or credited to Deposit Account No. 50-0320.

Early and favorable examination on the merits, special status, and first action allowance or an interview with Supervisory Review prior to any first Office Action (so any issues may be rapidly resolved), are all earnestly solicited.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

A handwritten signature in black ink, appearing to read "Marilyn M. Brogan", with a horizontal line underneath.

Marilyn Matthes Brogan
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